



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE REAL ESTATE COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243
615-741-2273
<http://www.tn.gov/commerce/section/real-estate-commission>

MINUTES

The Tennessee Real Estate Commission held a meeting September 06, 2017 at 9:00 a.m. CST in room 1A of the Davy Crockett Tower located at 500 James Robertson Parkway Nashville, TN 37243. The Meeting was called to order by Chairman John Griess.

Chairman Griess welcomed everyone to the Board meeting.

Executive Director Caitlin Maxwell read the public disclaimer and called roll. The following Commission Members were present: Chairman Griess, Vice Chairman Commissioner Austin McMullen, Commissioner Diane Hills, Commissioner Fontaine Taylor, Commissioner Johnny Horne and Commissioner Bobby Wood. Commissioner Marcia Franks, Commissioner Gary Blume and Commissioner Rick Douglass were absent. Quorum Confirmed. Others present: Assistant Commissioner Carter Lawrence, Chief Counsel Mark Green, Assistant General Counsel Sarah Mathews, Assistant General Counsel Erica Smith, Paralegal Rianna Womack, Executive Director Caitlin Maxwell, Education Director Ross White and Commission Staff Sherry Brame.

The September 06, 2017 board meeting agenda was submitted for approval.

Commissioner Griess requested to add a brief description of the complaint process, to be made by Assistant Commissioner Carter Lawrence.

Commissioner Wood requested to add, to commission discussions, the topic of civil penalties and a discussion on the list of brokers retesting in lieu of completing the post 120 hrs of CE.

Motion to approve the agenda as amended was made by Commissioner Taylor and seconded by Commissioner Horne. Motion passed unanimously.

Minutes for the August 09, 2017 board meeting were submitted for approval.

Motion made by Commissioner Taylor and seconded by Commissioner Horne to approve the July 12, 2017 minutes as presented. Motion passed unanimously.

Assistant Commissioner Carter Lawrence discussed changes made to the complaint process. We will continue with a formalized process but expedite complaints for unlicensed activity making them a priority. Currently the response time is significantly more than 5 days, following the new procedure for unlicensed activity allegations there will be a 5 day total response time.

TIMESHARE ESCROW EXEMPTION REQUEST -

Attorney John Lawhorn presented before the commission, on the behalf of Westgate Smoky Mountain Resort at Gatlinburg, the request for timeshare escrow exemption.

Commissioner McMullen made a motion to approve the request of Westgate Smoky Mountain Resort for an exemption from escrow requirement and approve the use of the insurance proceeds committed by the insurance company in lieu of any other escrow that is required and the exemption would apply only to the reconstruction of facilities that had already been substantially

completed but that were lost due to the fires last year. Motion seconded by Commissioner Taylor. Motion passed unanimously. Commissioner Horne abstained.

REQUEST TO REINSTATE LICENSE –

Roger Johnson did not appear to discuss his request.

INFORMAL APPEARANCE –

Carl Points was unavailable to appear at this time and has asked to reschedule for the November meeting.

EDUCATION REPORT- (Attachment A)

Motion made by Commissioner Horne to approve courses S1 – S24; motion seconded by Commissioner McMullen. Motion passed unanimously.

Commissioner Hills made the motion to approve Instructors I1-I24; seconded by Commissioner McMullen. Motion passed unanimously. Commissioner Wood recused himself from voting on I5.

EXECUTIVE DIRECTORS REPORT- (Attachment B)

Review of Financial and Statistical Reports

Executive Director Maxwell discussed the attendance at the outreach presentations and how there has been a good turnout and response.

Opened and Closed complaints were discussed and how the increase noted is due to the fact that several of the complaints from last month were not closed until after August 01, 2017 instead of being closed at the end of July.

Discussion was held on Alternative Works Space (AWS) and how it is the Governor's initiative for the State to move towards work from home; 17 other state departments have already moved towards this. AWS allows employees flexibility, with them working from home 3 days a week and in the office 2 days a week, with one day designated to have all employees in the department present at the same time. Phase 1 & 2 for the department of Commerce and Insurance has already been implemented and TREC has been invited to participate in phase 3 starting in November.

Commissioner Griess brought up that upon staff trying to book 1A for the 2018 Commission meetings it was discovered that the room had already been book so that an alternative room, 6A, would be used for some meetings. Executive Director Maxwell mentioned that she went ahead and reserved 1A for 2019 based on the 2018 dates but that the vote on the 2019 meetings may need to be held a little earlier to ensure that any adjustments to the dates and availability could be made.

Executive Director Maxwell explained that she has been meeting with TREC Staff one on one to see what they do and how they do it to try and get a better understanding of the process.

Commissioner McMullen inquired as to the status of Executive Director Maxwell taking the Broker exam. She announced that she has taken and passed the exam.

Executive Director Maxwell noted that the previous director had been contacted about using the Great Smoky Mountain Association of Realtors as possible East TN meeting venue for the 2018 Fall Commission meeting. Commissioner Griess suggested waiting until a later date, closer to the time of the meeting, to make a decision. Commissioner Taylor suggested that they start looking for a venue for the 2018 Spring Commission meeting in West TN as well.

PSI approached Executive Director Maxwell, after she passed the Broker exam, inquiring as to why real estate agents did not know what they made on the exam; they only know that they

passed. They asked if she knew the history; upon investigation it appears that other licenses within the Department of Commerce and Insurance do display the scores on the PSI form after they have passed. Executive Director Maxwell noted that it does not really matter what the score is as long as they pass.

COMMISSION DISCUSSIONS-

Election of Chair and Vice Chair

Commissioner McMullen made the motion to nominate John Griess as Chairman; seconded by Commissioner Hills. Motion passed unanimously.

Commissioner Hills made the motion to nominate Austin McMullen as Vice-Chair; seconded by Commissioner Wood. Motion passed unanimously.

Draft CE Rule update

Assistant General Counsel Sarah Mathews added clarifying language to the CE rule draft by stating that it applies to non-resident and resident licensees and adding the CORE requirement at a minimum of 6 hours in the 16 hours of Tennessee approved CE.

Commissioner McMullen made the motion to approve the CE Rule draft be approved; seconded by Commissioner Hills. Motion passed unanimously.

Civil Penalties

Commissioner Wood suggested that sometimes engaging in unlicensed activity is more lucrative than the penalties the Commission assesses and that instead of assessing a \$1000 civil penalty per instance, that it be assessed per day for the days they engage in the unlicensed activity. Assistant General Counsel Sarah Mathews pointed out that the difficulty would be in determining the actual days; that if there were dated contracts that could be proven that those dates be presented to the commission as part of the legal report. Commissioner Horne suggests, putting a cap on the penalty such as looking at the magnitude of the activity. Commissioner

McMullen suggested looking at each separate negotiation as subject to the \$1000 penalty instead of each deal as a whole; Commissioner Wood agreed.

List of Brokers Retesting in Lieu of Completing the Post 120 hrs of CE

At the August meeting Commissioner Wood requested a list of Brokers that were downgrading their license to an Affiliate Broker and then retesting as a Broker because they had not completed their post 120.

Assistant Commissioner Carter Lawrence notified the Commission, based on information received from core, that zero licensees over the last year had downgraded their license to an Affiliate Broker and then retested as a Broker because they had not completed their post 120 and that this information was consistent with information they had previously received and discussed.

ARELLO Meeting

Commissioner Griess made the motion to have the State cover Commissioner Franks' registration fees for the Arello meeting she attended in Hawaii on September 20, 2017; motion seconded by Commissioner Wood. Motion passed unanimously.

LEGAL REPORT

Consent Agenda

The following cases were presented to the Commission via a Consent Agenda. All cases were reviewed by legal, legal has recommended dismissal. The Commission voted to accept the recommendation of legal counsel. Motion made by Commissioner Horne to accept the recommendation of legal counsel to dismiss all cases listed on the consent agenda, seconded by Commissioner Taylor. Motion passed unanimously.

- | | | |
|----------------|----------------|----------------|
| 1. 2017017811 | 14. 2017022831 | 27. 2017021741 |
| 2. 2017019071 | 15. 2017024071 | 28. 2017022181 |
| 3. 2017020711 | 16. 2017024101 | 29. 2017022201 |
| 4. 2017020751 | 17. 2017021471 | 30. 2017022291 |
| 5. 2017020811 | 18. 2017021491 | 31. 2017021841 |
| 6. 2017021351 | 19. 2017019031 | 32. 2017024241 |
| 7. 2017020921 | 20. 2017019051 | 33. 2017023911 |
| 8. 2017021881 | 21. 2017019111 | 34. 2017023971 |
| 9. 2017021901 | 22. 2017019151 | 35. 2017033471 |
| 10. 2017022041 | 23. 2017020281 | 36. 2017033491 |
| 11. 2017022771 | 24. 2017020301 | 37. 2017017431 |
| 12. 2017022791 | 25. 2017021271 | |
| 13. 2017022811 | 26. 2017021721 | |

Legal Report

Robyn Ryan (presented by Erica Smith)

1. **2015015021 - REPRESENT**
Opened: 7/27/15
First License Obtained: 6/1/04
License Expiration: 8/24/16
E&O Expiration: 1/1/17
Type of License: Principal Broker
History: no prior disciplinary action

2. **2015018081 - REPRESENT**
Opened: 7/27/15
First License Obtained: 6/1/04
License Expiration: 8/24/16
E&O Expiration: 1/1/17
Type of License: Principal Broker
History: no prior disciplinary action

New Recommendation: Close and Flag.

New Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed unanimously.

3. **2017018941**
Opened: 3/20/17
First Licensed: 4/18/84
Expiration: 10/12/18
Type of License: Principal Broker
History: None

Recommendation: Litigation Monitoring Consent Order.

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed unanimously.

4. **2017018961**
Opened: 3/20/17
First Licensed: 9/26/13
Expiration: 9/25/17
Type of License: Real Estate Firm
History: None

Recommendation: Litigation Monitoring Consent Order.

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed unanimously.

5. **2017019231**
Opened: 3/26/17
First Licensed: 12/21/15
Expiration: 12/20/17
Type of License: Affiliate Broker
History: None

Recommendation: Letter of Warning regarding diligently exercising reasonable skill and care §62-13-403(1).

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Horne. Motion passed unanimously.

6. **2017019251**
Opened: 3/26/17
First Licensed: 9/29/72
Expiration: 11/21/18
Type of License: Principal Broker
History: 2013 Consent Order-Unethical conduct: \$500 Civil Penalty & TREC Attendance

Recommendation: Dismiss

Decision: Letter of Warning regarding failure to supervise and include instruction that the Principal Broker needs to educate affiliate brokers that they should only allow authorized persons to sign documents.

Motion by Commissioner Hills and seconded by Commissioner Horne. Motion passed unanimously.

7. **2017020461**
Opened: 3/31/17
First Licensed: 7/7/03
Expiration: 8/10/18
Type of License: Principal Broker -License Revoked
History: 2007 Agreed Citation- Failure to obtain 120 Classroom hours; 2010 Consent Order- Failure to include all terms of the contract and disclosure of

personal interest: \$500 Civil Penalty; January 2017- Failure to contact the Commission within 60 days of conviction: Revocation

Recommendation: \$2,000 for unlicensed practice.

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Horne. Motion passed 5-0 with Commissioner Wood recusing himself.

- 8. 2017023541**
Opened: 4/15/17
First Licensed: 6/4/97
Expiration: 1/11/18
Type of License: Affiliate Broker
History: None

Recommendation: \$500 civil penalty for violation of Rule 1260-02-.11(2) all licensees shall identify themselves as a licensee when buying or selling property for themselves.

Decision: The Commission voted to dismiss the complaint.

Motion made by Commissioner Taylor to accept Counsel's recommendation of a \$500 civil penalty; seconded by Commissioner Horne. Motion failed on a 2-4 vote with Commissioners McMullen, Wood, Griess and Hills voting against.

Motion to dismiss the complaint made by Commissioner Wood and seconded by Commissioner Hills. Motion passed unanimously.

- 9. 2017023631**
Opened: 4/15/17
First Licensed: 3/23/94
Expiration: 4/15/19

Type of License: Principal Broker
History: 2014 Consent Order-Failure to supervise: \$250 Civil Penalty & TREC Attendance

Recommendation: \$500 civil penalty for failure to supervise.

Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed unanimously.

Erica Smith

- 10. 2016054691 - REPRESENT**
Opened: 9/12/16
First Licensed Obtained: 11/7/07
License Expiration: 4/2/2017
Type of License: Suspended-Affiliate Broker
History: 2016-Suspended until 8/18/17 for 12 months and downgraded to affiliate broker status following Formal Hearing –improper or dishonest dealing

New Recommendation: Close and Flag.

New Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Hills. Motion passed unanimously.

- 11. 20150224251 - REPRESENT**
Opened: 2/9/16
First Licensed: 11/14/06
Expiration: 11/13/16
Type of License: Affiliate Broker
History: No history of disciplinary action.

New Recommendation: Discuss potential civil penalties and whether Respondent was required to provide a copy of the inspection report from a previous potential buyer.

New Decision: The Commission voted to authorize a civil penalty in the amount of \$1,000 for violation of T.C.A. §62-13-403(2) (failure to disclose to each party to the transaction any adverse facts of which the licensee has actual notice or knowledge)

Motion made by Commissioner Griess to dismiss; seconded by Commissioner Horne. Motion failed on a 1-5 vote with Commissioners Taylor, Hills, Griess, McMullen and Wood voting against.

Motion to assess a \$1000 civil penalty made by Commissioner Wood and seconded by Commissioner Hills. Motion passed unanimously.

12. 20150224271 – REPRESENT

Opened: 2/9/16

First Licensed: 11/14/00

Expiration: 8/1/16

Type of License: Principal Broker

History: No history of disciplinary action.

Recommendation: Discuss potential civil penalties and whether the affiliate broker was required to provide a copy of the inspection report from a previous potential buyer.

New Decision: The Commission voted to authorize a civil penalty in the amount of \$1,000 for violation of T.C.A. §62-13-403(2) (failure to disclose to each party to the transaction any adverse facts of which the licensee has actual notice or knowledge), \$1000 civil penalty for failure to supervise plus a four (4) hour contract course over and above the required continuing education for licensure.

Motion by Commissioner Hills and seconded by Commissioner Wood. Motion passed unanimously.

13. 2017001261 - REPRESENT

Opened: 1/10/17

First Licensed: 8/21/95
Expiration: 9/30/18
Type of License: Principal Broker
History: None

New Recommendation: Letter of Warning for failure to respond.

New Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed unanimously.

14. 2017011351
Opened: 2/21/17
First Licensed: 2/1/17
Expiration: 1/31/19
Type of License: Principal Broker
History: None

New Recommendation: Dismiss.

New Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Horne. Motion passed unanimously.

15. 2014006351 - REPRESENT
Opened: 4/22/14
First License Obtained: 9/6/06
License Expiration: 9/5/18
Type of License: Affiliate Broker
History: No Prior Disciplinary Action

New Recommendation: Consent Order assessing a civil penalty in the amount of \$1,000 for violations of TCA §§ 62-13-312(b)(14) and 62-13-403(2), plus attendance by Respondent at one (1) entire regularly scheduled meeting of the Commission within one hundred eighty (180) days of Respondent's execution of Consent Order in addition to completion of four (4) hours of continuing education in ethics within one hundred eighty (180) days of Respondent's execution of Consent Order.

New Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Wood and seconded by Commissioner Horne. Motion passed unanimously.

- 16. 2014006371 - REPRESENT**
Opened: 4/22/14
First License Obtained: 9/13/02
License Expiration: 10/16/17
Type of License: Principal Broker
History: No Prior Disciplinary Action

New Recommendation: Consent Order assessing a civil penalty in the amount of \$1,000 for violations of TCA § 62-13-312(b)(15), plus attendance by Respondent at one (1) entire regularly scheduled meeting of the Commission within one hundred eighty (180) days of Respondent's execution of Consent Order in addition to completion of four (4) hours of continuing education in ethics within one hundred eighty (180) days of Respondent's execution of Consent Order.

New Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passed unanimously.

- 17. 2017019331**
Opened: 3/23/17
First Licensed: 2/7/72
Expiration: 8/20/18
Type of License: Principal Broker
History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$1000 for a violation of TCA 62-13-312(b)(20) (any conduct, whether of the same or a different character from that specified in this subsection (b), that constitutes improper ... dealing)

and a civil penalty in the amount of \$1000 for a violation of TCA 62-13-403(1) (diligently exercise reasonable skill and care in providing services to all parties to the transaction).

Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Taylor and seconded by Commissioner Wood. Motion passed unanimously.

18. 2017020321
Opened: 3/31/17
First Licensed: 3/3/15
Expiration: 3/2/19
Type of License: Real Estate Firm
History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$1000 for a violation of Tenn. R. & Regs. 1260-02-.12(3)(e) and (f) (no licensee shall advertise property listed by another licensee without written authorization from the property owner. Written authorization must be evidenced by a statement on the listing agreement or any other written statement signed by the owner).

Decision: The Commission authorized a civil penalty in the amount of \$1,000 for violation of Tenn. R. & Regs. 1260-02-.12(3)(e) and (5)(b).

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed on a 5-1 vote with Commissioner McMullen voting against.

19. 2017020501
Opened: 4/3/17
Type of License: Unlicensed
History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$1000 for violation of TCA §62-13-301 (unlicensed activity).

Decision: The Commission voted to dismiss the complaint.

Motion by Commissioner Wood and seconded by Commissioner Horne. Motion passed on a 4-2 vote with Commissioners Hills and Griess voting against.

20. **2017023131**
 Opened: 4/12/17
 First Licensed: 2/3/17
 Expiration: 2/2/19
 Type of License: Affiliate Broker
 History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$500 for a violation of Tenn. R. & Regs. 1260-02-.12(3)(b)

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Griess and seconded by Commissioner Hills. Motion passed on a 4-2 vote with Commissioners Horne and McMullen voting against.

21. **2017023151**
 Opened: 4/12/17
 First Licensed: 11/16/12
 Expiration: 11/15/18
 Type of License: Principal Broker
 History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$1,000 for failure to supervise.

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed on a 5-1 vote with Commissioner McMullen voting against.

22. **2017023071**
 Opened: 4/12/17
 First Licensed: 6/25/03
 Expiration: 8/5/18

Type of License: Real Estate Firm
History: None

Recommendation: Consent Order assessing a civil penalty in the amount of \$1000 failure to respond and a civil penalty in the amount of \$1000 for a violation of TCA §62-13-312(b)(20) (improper, fraudulent or dishonest dealing).

Decision: The Commission voted to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Horne. Motion passed unanimously.

Mark Green

23. 2016033711- REPRESENT
Opened: 4/26/16
First Licensed: 12/8/94
Expiration: 11/10/16
Type of License: Real Estate Broker
History: No Prior Disciplinary History

Recommendation: Discuss the underlying question.

Decision: The Commission voted to authorize a Consent order for a \$500 civil penalty for violation of T.C.A. §62-13-404(2), failure to be loyal to the interests of the client.

Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passed on a 5-1 vote with Commissioner Horne voting against.

24. 2017049101
Opened: 7/25/17
First Licensed: 12/8/94
Expiration: 11/10/18
Type of License: Real Estate Broker
History: No Prior Disciplinary History

Recommendation: Dismiss – the fact that a pending consent order under the Qualifications for Instructors under rule 1260-05.04 does not preclude already approved instructors from teaching course when a complaint is pending.

Decision: The Commission voted to accept counsel’s recommendation.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed unanimously.

Meeting adjourned at 3:10 p.m.

ATTACHMENT A

TENNESSEE REAL ESTATE COMMISSION

Education Agenda **September 6, 2017**

CR = Classroom
Webinar=W

I = Internet
PP = Paper & Pencil

Courses Presented for Commission Evaluation

Sponsor/Address/ Contact	Title/Statutory &/or Rule Addressed	Comment	Instructor(s)	Hours
Arrow Exterminators #1669 NEW Kim Carman	“It’s Not a Termite Letter?” Rule 1260-05-.03 S1	For agents to know what the top 4 wood destroying insects (their identity and how to treat) for agents to understand the wood destroying insect infestation report along with some fungus (moisture) knowledge.	Kim Carman NEED APPROVAL	3
Ashworth College #1670 NEW Danielle Wright	Tennessee Real Estate Principles(I) TCA 62-13-303(b) S2	Provide the required 60 hours of pre-licensing education for affiliate brokers in accordance with the topic outline developed by the Tennessee Real Estate Commission.	Kevin Lee (CDEI) PREVIOUSLY APPROVED	60
	Tennessee Course for New Affiliates(I) TCA 62-13-303(a) S3	Provide the required 30 hours of education required for new affiliate brokers in accordance with the topic outline developed by the Tennessee Real Estate Commission.		30
Elisha Wooden #1604 Elisha Wooden	Successfully Selling HUD in Tennessee(CR) Rule 1260-05-.03(5)(a) S4	As a result of this 2 hour course, the real estate licensee will be able to accurately and successfully complete a HUD sales transaction from bid submission through closing.	Elisha Wooden PREVIOUSLY APPROVED	2
Home Inspectors of Tennessee Association #1492 Jeff Bonner	Tennessee State Home Inspection Standards(CR) Rule 1260-05-.03 S5	This course will give licensees a thorough base of knowledge concerning the working standards of licensed state home inspectors.	Tim Fuller Pierre Billard Jeff Bonner Brent Voss NEED APPROVAL	3

Habitec Home and Building Inspections #1497 Richard Acree	Tennessee Home Inspection(CR) Rule 1260-05-.03(5)(a) S6	Explains and teaches the procedures, methods and requirements for a home inspection in TN. What to look at and what we are looking for.	Richard Acree PREVIOUSLY APPROVED	6
HECM Senior Home Financing #1671 NEW Tiffany Linger	The Ethics and Morals of the FHA HECM for Home Purchase(CR) Rule 1260-05-.03(5)(a) S7	This course explains all the principles of home equity conversion mortgages to real estate licensees. It will provide knowledge and give Realtors an additional tool to better help their customers who don't qualify with a traditional mortgage.	Tim Linger Willard Winkenhofer NEED APPROVAL	2
Knoxville Area Association of Realtors #1092 Carleen Palmer	Substance Over Ego: How To Reposition Your Listing To Be More Consumer-Centric and Less Agent-Ego(CR) Rule 1260-05-.03 S8	Attendees will learn the importance of delivering a level of service and professionalism that honor the properties they are listing. Students will learn the listing presentation is their most important piece of marketing.	Leigh Brown PREVIOUSLY APPROVED	1
	Building Your Brand (Social Media Edition)(CR) Rule 1260-05-.03 S9	This course instructs students as to what branding is and how they can benefit from establishing their own, as a Realtor value proposition, and how to proceed with their social media marketing.		1
	Million Dollar Follow-Up-How To Build Your 7-Touch Follow-Up(CR) Rule 1260-05-.03 S10	This course will show attendees how to push harder to improve their business by employing proper follow-up techniques.	Michael Burt PREVIOUSLY APPROVED	1
	Person Of Interest(CR) Rule1260-05-.03 S11	Attendees will learn the importance of being a "person of interest"- someone others want to be with and do business with. Attendees will learn the importance of how to articulate how they do business differently and better.		1

Knoxville Area Association of Realtors....continued	CRUMBS-Pour It All In and Keep Enough For Those You Love Most(CR) Rule 1260-05-.03 S12	The attendee will create a plan to manage and harness their time and energy and set specific targets to evaluate how they may currently be offering mere leftovers to those they want to help the most. They will learn how to re-balance their time and energy and how to allow plenty of time and resources for both their personal and business lives.	Michael Burt	1
Leaders Credit Union #1672 NEW Kay Carroll	How Does NCAP Public Record Standards Change Impact Reported Credit Data(CR) Rule 1260-05-.03 S13	To educate Realtors on new public data requirements for credit bureaus, and how that will impact borrowers.	Hinna Jamal NEED APPROVAL	1
Real Estate Learning Systems #1653 John Giffen	Real Estate Finance and Tax Issues(I) Rule 1260-05-.03(5)(a) S14	This course is to give licensees a comprehensive real estate finance and tax information study defining notes, mortgages, deed of trust, Federal Reserve Board and mortgage lending, and significant Congressional Acts that apply to the mortgage industry.	John Giffen PREVIOUSLY APPROVED	12
Louis Kent Breckenridge, dba Superior Realty School #1663 Louis Kent Breckenridge	Tennessee Real Estate Principles (CR) Rule 1260-05-.03(3) S15	This 60 hour course is designed for pre-licensing students from the principles of real estate law to fair housing with the latest Tennessee information.	Louis Kent Breckenridge PREVIOUSLY APPROVED	60
Massell Career College #1673 NEW David Davis	Tennessee Real Estate Principles(I) Rule 1260-05-.03(3) S16	The 60 hour online course provides an introduction to the key real estate principles, concepts, and ethical considerations which the prospective affiliate broker will need to know both to pass the Tennessee exam and to be a knowledgeable real estate practitioner.	Dave Davis NEED APPROVAL	60
Memphis Real Estate School #1350 Felicia Roddy	Data Use Control(CR) Rule 1260-05-.03(5)(a) S17	This course will inform the licensee of security issues imposed while in the performance of their duties that appear to be simple but dangerous if the licensee is not aware of the risk.	Dexter Roddy NEED APPROVAL	1

<p>At Your Pace Online #1674 NEW</p> <p>David Modica</p>	<p>10 Hour Real Estate Finance & NAR Ethics (I)</p> <p>Rule 1260-05-.03 S18</p>	<p>This course will keep real estate agents in Tennessee up to date on current real estate lending laws and finance loans and will also cover the general concepts of business ethics and goes into the arbitration system established by NAR.</p>	<p>Sheri Wytcherley</p> <p>NEED APPROVAL</p>	<p>10</p>
	<p>TN 6-Hour CORE COURSE 2017-2018(I)</p> <p>Rule 1260-05-.03 S19</p>	<p>The course is required by TREC per two-year license renewal cycle. The topics are mandated by the Commission, including TREC law and rules updates, agency law, advertising, contracts, disclosure requirements, Principal Broker supervision and more.</p>		<p>6</p>
<p>Perk Seminars #1675 NEW</p> <p>Greg Glosson</p>	<p>Agent Tools of the Trade: 25 Items To Keep In Your Mobile Office(CR)</p> <p>Rule 1260-05-.03(5)(a) S20</p>	<p>This course demonstrates those things that successful agents do different from the average agent- specifically what to keep in their vehicles. Specific examples of the needed day to day items to promote safety and professionalism, while protecting the consumer.</p>	<p>Greg Glosson</p> <p>PREVIOUSLY APPROVED</p>	<p>1</p>
	<p>Office Broker Management(CR)</p> <p>Rule 1260-05-.03(1)(a)(b);(d);(4) S21</p>	<p>The licensee will learn how to describe, identify and apply laws and statutes; understand the responsibilities and the role of the Principal Broker; and recognize the impact of the brokerage and office management functions to all parties involved in the real estate transaction.</p>		<p>30</p>
	<p>30 Hour Course for New Affiliates(CR)</p> <p>Rule 1260-05-.03(1)(a)(b);(d) S22</p>	<p>The 30 hour course for New Affiliates will cover all the forms, processes, marketing and procedures included in the listing and selling process. It includes agency law, property disclosure law, ethics, client representation and professional standards.</p>		<p>30</p>
	<p>60 Hour Affiliate Broker Pre-License Course(CR)</p> <p>Rule 1260-05-.03(1)(a)(b);(d);(2);(3) S23</p>	<p>The licensee will learn to describe, identify and apply laws and statutes, understand the responsibilities and the role of the Affiliate Broker; and recognize the impact of the licensee upon members of the public.</p>		<p>60</p>

Special Touch Disaster Restoration #1676 NEW	Water Mitigation Technology and Restoration(CR)	To provide attendees with information on how water from different sources effects building materials, information on how to properly dry and dehumidify residential and commercial dwellings, and fungus growth.	Robert C. Monaghan NEED APPROVAL	3
Robert C. Monaghan	Rule 1260-05-.03 S24			

Courses Requiring Discussion

Sponsor/Address/Contact	Title	Comment	Instructor(s)	Hours

INSTRUCTOR BIOS

TREC MEETING

September 6, 2017

- | | |
|---|--|
| Kim Carman | Has had her Real Estate license since 2016, and is a Commercial Certified Pest Control specialist, She was a Mortgage broker for 14 years, and is a member and past President of the Knoxville Area Association of Realtors. |
| Tim Fuller
Pierre Billard
Jeff Bonner
Brent Voss | Licensed Tennessee Home Inspectors Licensing Program with the Dept. of Commerce and Insurance, to teach Tenn. Home Inspection Standards to Real Estate licensees. |
| Tim Linger
Willard Winkenhofer | Certified home equity conversion mortgage specialists; Certified Senior Advisors; Certified CE Instructors. |
| Hinna Jamal | 9 years experience ranging from financial advising, Business development, revenue growth, talent and Employee development; a highly effective professional Financial Services Specialist. |
| Dave Davis | Certified Distance Education Instructor; retired attorney Specializing in Real Estate Law; Real Estate Instructor and Course Developer; author and designer of Courses; School Director and Instructor for Maselle College. |
| Dexter Roddy | Bachelor of Applied Science in Information Technology Information Systems Security; information technology Professional, 4 years working for national organizations. |
| Sheri Wytcherley | Owner/Principal Broker Oregon Ranch & Home, for 14 Years; Real Estate Instructor for At Your Pace Online; Approved in 19 states, CDEI holder. |
| Robert C. Monaghan | Tennessee Licensed General Contractor; Certified Water Restoration Technician; Certified Mold Remediation Technician. Owner Special Touch Disaster Restoration. |

Executive Director’s Report

Tennessee Real Estate Commission

Outreach Education Events:

Three outreach events have been completed since the August meeting. Attendance numbers have been added. There are two additional outreach events planned for 2017.

Completed Outreach			
Association	Location	Date	Attendance
WCAR	Brentwood, TN	8/14/2017	32
CWTAR	Jackson, TN	8/15/2017	48
GNAR	Nashville, TN	8/23/2017	60

Future 2017 Outreach			
Association	Location	Date	Time
GCAR	Chattanooga, TN	10/4/2017	1:00 PM
RCAR	Springfield, TN	12/12/2017	1:00 PM

Staffing:

Caitlin Maxwell	Executive Director
Ross White	Education Director
Melissa Fox	Office Manager and Processing Coordinator
Rachel Fowler	Visitor Liaison & Licensing
Sherry Brame	Commission Liaison, Manages CE Roster submissions, Customer Service, & Licensing
Ahmad Lewis	Auditor
Aaron Smith	Customer Service, Errors and Omissions, Informal Appearances, & Licensing
Liza Bennich	Customer Service, Licensing , and Visitor Liaison, Ticket Distribution
Cherita Okoro	Customer Service, Licensing, Coding
Rhonda Brown	Customer Service, Licensing, Mail Distribution, and Claim Refunds
Denarius Stinson	Customer Service, Licensing, and Bad Checks

August Statistical Report:

Profession	Count
Acquisition Agent License	139
Acquisition Agent Registration	42
Acquisition Representative Registration	2330
Affiliate Broke	26991
Designated Agent for Vacation Lodging Services	96
RE Broker	7683
Real Estate Firm	4012
Time Share Exempt	141
Time Share Registration	32
Time Share Sale	924
Vacation Lodging Service	106

License Type	Status	License Count
Individual	Active	32152
Individual	Broker Release	2
Individual	Inactive	1
Individual	Retired	6010
Individual	Suspended	831
Individual	Vol Surrendered	3523
Firm	Active	4259
Firm	Retired	74

Exams Taken by License Type:

Test	Tested	Pass	Fail	Percentage Passed	Percentage Failed
TN Acquisition Agent	13	9	4	69.23%	30.77%
TN Affiliate Broker- National	690	371	319	53.77%	46.23%
TN Affiliate Broker- State	642	454	188	70.72%	29.28%
TN Broker- National	44	24	20	54.55%	45.45%
TN Broker- State	39	32	7	82.05%	17.95%
Timeshare Salesperson	54	33	21	61.11%	38.89%

Opened and Closed Complaint Report:

Month	Opened Cases	Closed Cases	Sanctions
12/1/16 – 12/31/16	65	87	14
01/01/17 - 01/31/17	70	67	11
02/01/17 - 02/28/17	62	105	-
03/01/17 - 03/31/17	56	85	-
04/01/17 - 04/30/17	52	66	-
05/01/17 - 05/30/17	57	41	5
06/01/17 – 06/30/17	87	86	14
07/01/17 – 07/31/17	70	39	2
08/1/2017- 8/31/2017	91	113	39

*sanctions include complaints closed with consent orders and agreed orders.

Future Discussion:

- October Commission Meeting in Chattanooga, TN: Thursday, 10/5/17
- AWS

TREC

SURPLUS/DEFICIT

FISCAL YEAR BEGINS: JUL 2017

	JUL-17	AUG-17	SEP-17	OCT-17	NOV-17	DEC-17	JAN-18	FEB-18	MAR-18	APR-18	MAY-18	JUN-18	YEARLY
TREC Revenues													
Licensing Revenue	\$ 201,695												\$ 201,695
Case Revenue	\$ 14,866												\$ 14,866
State Reg Fee	\$ (20,480)												\$ (20,480)
TOTAL REVENUE	\$ 196,081	\$ -	\$ 196,081										
TREC Expenses													
Edison Expenditures	\$ 51,772												\$ 51,772
Admin Costbacks	\$ 28,664												\$ 28,664
Legal Costbacks	\$ 42,779												\$ 42,779
Investigations	\$ -												\$ -
Field Enforcement	\$ -												\$ -
Customer Service Center	\$ 11,215												\$ 11,215
TOTAL EXPENDITURES	\$ 134,430	\$ -	\$ 134,430										
Net Surplus/Deficit	\$ 61,651	\$ -	\$ 61,651										
Historical Trend													
Licensing & Case Revenue													
FY 2017	\$ 162,301	\$ 187,191	\$ 173,498	\$ 182,554	\$ 206,142	\$ 223,954	\$ 226,253	\$ 198,906	\$ 234,358	\$ 183,979	\$ 215,993	\$ 218,633	\$ 2,413,762
FY 2016	\$ 250,958	\$ 202,639	\$ 151,324	\$ 179,479	\$ 144,717	\$ 168,954	\$ 186,351	\$ 199,162	\$ 248,430	\$ 196,883	\$ 190,786	\$ 197,262	\$ 2,316,942
Expenditures													
FY 2017	\$ 142,992	\$ 187,648	\$ 173,665	\$ 169,636	\$ 179,914	\$ 157,762	\$ 139,689	\$ 175,039	\$ 158,497	\$ 201,728	\$ 188,598	\$ 154,924	\$ 2,030,091

Notes: